



**DEPARTMENT OF EDUCATION**

**Applications for New Awards; Educational Technology, Media,  
and Materials for Individuals with Disabilities Program--  
Television Access Projects**

**AGENCY:** Office of Special Education and Rehabilitative Services, Department of Education.

**ACTION:** Notice.

**SUMMARY:** The Department of Education (Department) is issuing a notice inviting applications for new awards for fiscal year (FY) 2021 for Educational Technology, Media, and Materials for Individuals with Disabilities--Television Access Projects, Assistance Listing Number 84.327C. This notice relates to the approved information collection under OMB control number 1820-0028.

**DATES:**

Applications Available: **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Deadline for Transmittal of Applications: **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Deadline for Intergovernmental Review: **[INSERT DATE 120 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER.]**

**ADDRESSES:** For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the *Federal Register* on February 13,

2019 (84 FR 3768), and available at  
[www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf](http://www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf).

**FOR FURTHER INFORMATION CONTACT:** Rebecca Sheffield, U.S.  
Department of Education, 400 Maryland Avenue, SW, room  
5040E, Potomac Center Plaza, Washington, DC 20202-5076.  
Telephone: (202) 245-6725. Email:  
[Rebecca.Sheffield@ed.gov](mailto:Rebecca.Sheffield@ed.gov).

If you use a telecommunications device for the deaf  
(TDD) or a text telephone (TTY), call the Federal Relay  
Service (FRS), toll free, at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program:

The purpose of the Educational Technology, Media, and  
Materials for Individuals with Disabilities Program is to  
improve results for students with disabilities by: (1)  
promoting the development, demonstration, and use of  
technology; (2) supporting educational media activities  
designed to be of educational value in the classroom for  
students with disabilities; (3) providing support for  
captioning and video description that is appropriate for  
use in the classroom; and (4) providing accessible  
educational materials to students with disabilities in a  
timely manner.

Priority:

This competition includes one absolute priority. In accordance with 34 CFR 75.105(b)(2)(v), this priority is from allowable activities specified in the statute (see sections 674(c)(1)(D) and 681(d) of the Individuals with Disabilities Education Act (IDEA); 20 U.S.C. 1474(c)(1)(D) and 1481(d)).

Absolute Priority:

For FY 2021 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority.

This priority is:

Television Access Projects.

Background:

Section 674(c) of the IDEA requires, in part, that the Secretary of Education support audio description,<sup>1</sup> open captioning, and closed captioning<sup>2</sup> that is appropriate for use in the classroom setting of (a) television programs; (b) videos; and (c) other materials, including programs and

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<sup>1</sup> In October 2020, the Federal Communications Commission (FCC) adopted rule changes, including a switch from the term "video description" to "audio description" that can be found at <https://ecfsapi.fcc.gov/file/102760142335/FCC-20-155A1.pdf>. Audio description (also known as video description or description) refers to providing auditory access to significant visual content in a video through spoken narration accompanying the video's soundtrack.

<sup>2</sup> Closed captioning (also known as captioning) refers to providing visual access to audio content from a video through text displayed along with the video.

materials associated with new and emerging technologies.<sup>3</sup> Twenty-first century K-12 classrooms and early childhood learning environments provide enriching, differentiated learning opportunities. For children and youth with disabilities to fully engage in in-person, hybrid, and online learning environments, they must have access to all instructional activities and materials. Learners with sensory disabilities (e.g., blindness, including visual impairment; deafness; hearing impairment; and deaf-blindness) often require alternate means of accessing educational materials, video programming, and online resources. Learners with other disabilities and English learners can also benefit from accessibility features embedded in educational media and materials (Kent et al., 2017; Teng, 2019). When educational materials are inaccessible, students with sensory disabilities miss out on opportunities to participate fully and independently in learning (Rodriguez & Diaz, 2017).

Closed captioning and audio description technologies enhance learning experiences for children and youth with disabilities and English learners (Rodriguez & Diaz, 2017).

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<sup>3</sup> Applicants should note that other laws, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.; 28 CFR part 35) and section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794; 34 CFR part 104), may require that State educational agencies (SEAs) and local educational agencies (LEAs) provide captioning, audio description, and other accessible educational materials to students with disabilities when these materials are necessary to provide equally integrated and equally effective access to the benefits of the educational program or activity, or as part of a "free appropriate public education" as defined in 34 CFR 104.33.

Captioning increases the accessibility of video programming, particularly for audience members (children, parents, and teachers) who are deaf or have hearing loss and for those who are temporarily unable to hear a program or who benefit when auditory information is supported by text. Audio description increases access to visual content, especially for people with visual impairments or visual processing difficulties and for anyone temporarily unable to follow a program visually.

Children and youth with deaf-blindness have a spectrum of video access needs; therefore, captioning and audio description are most beneficial when provided in customizable formats. For example, students may need to change the size of captions or slow down descriptions; others may need separate transcription documents. Different descriptions may be required for the same video depending on individual needs and instructional purposes.

The Telecommunications Act of 1996 requires most television programs to be captioned. The Federal Communications Commission (FCC) also requires networks to broadcast a comparatively limited amount of audio described programming. The FCC's requirements for captioning and description do not apply to online media, and when previously broadcast video is shared online, online versions may not be accessible.

The Department has made awards since 1995 to provide audio description and captioning under the Educational Technology, Media, and Materials for Individuals with Disabilities program. Despite these efforts and IDEA requirements for students to be provided with accessible instructional materials, not all video and multimedia content used in school settings is described or captioned. Content creators continue to produce media resources that must be remediated, rather than "born accessible," i.e., released with embedded captions and audio description. More captioned and described content is needed, especially to assist those who are English learners and in settings with limited internet access, where older educational media may still be in use.

Priority:

The purpose of this priority is to fund three cooperative agreements that will improve the learning opportunities for children and youth with disabilities by providing access to video programming<sup>4</sup> through accessible high-quality audio description and captioning. This access will be accomplished by making available television programs that are appropriate for use in classroom settings and online learning environments that are not otherwise

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<sup>4</sup> For the purposes of this notice, video programming is defined consistent with 47 CFR 79.4, meaning "programming by, or generally considered comparable to programming provided by, a television broadcast station, but not including consumer-generated media."

required to be captioned or described by the FCC. As part of the work of each project, in consultation with the Office of Special Education Programs (OSEP) project officer, selective media must be captioned and described in Spanish for eligible users who are learning English and live in households where Spanish is the dominant language.

The projects must achieve, at a minimum, the following expected outcomes:

- (a) Increased access to captioned and described video programming by children with sensory disabilities and other disabilities;

- (b) Increased number of described and captioned educational video programs, both in English and in Spanish, available for use by children with disabilities;

- (c) Increased cost effectiveness and efficiency in the production and dissemination of accessible video programming;

- (d) Increased quality and usability of described and captioned products;

- (e) Increased use of technology in the projects' production and dissemination workflows and related processes; and

- (f) Increased alignment and coordination across the three 84.327C projects and the Captioned and Described Educational Media Center (84.327N).

In addition to these programmatic requirements, to be considered for funding under this absolute priority, applicants must meet the application and administrative requirements in this priority, which are:

(a) Demonstrate, in the narrative section of the application under "Significance" how the proposed project will--

(1) Address the need for access to educational television programming to support equitable opportunities in early learning programs, schools, and workplaces for transition-aged youth. To meet this requirement, the applicant must--

(i) Present applicable national, State, regional, or local data demonstrating the need for accessible educational television programming in schools, online settings, and workplaces for transition-aged youth and children and youth with disabilities, including children with disabilities who may be underserved; and

(ii) Demonstrate knowledge of the benefits, services, or opportunities that are available through the use of educational television programming in schools, online settings, and workplaces that are fully accessible to children and youth with disabilities, including children with disabilities who may be underserved.



(b) Demonstrate, in the narrative section of the application under "Quality of project services," how the project will--

(1) Apply knowledge of the populations served by the project to determine the preferences and unmet needs of educators, children and youth with disabilities, and the parents of these students in selecting the programming to be audio described, captioned, or both;

(2) Use criteria to select, produce, and add high-quality descriptions and captioning to widely available Spanish and English language video programming of high educational value for children and youth with disabilities and their families, teachers, and other professionals to use in K-12 classroom settings or online learning environments;

(3) Identify and use new and emerging technologies and processes that will improve the quality, availability, cost effectiveness, and usability of accessible educational media, materials, and products for children and youth with disabilities in the production of accessible educational video programming;

(4) Acquire, from producers, networks, program creators, and others, video programming to describe and caption to make the programming accessible to children and youth with disabilities; and

(5) Develop and implement, in collaboration with the Captioned and Described Educational Media Center (84.327N), documented routines and processes to improve access to, and increase the collection of, accessible educational video programming, online materials, and other related media that make it possible for children and youth with disabilities to participate in early learning environments, K-12 settings, and remote online environments to succeed in 21st-century educational environments.

(c) Demonstrate, in the narrative section of the application under "Adequacy of project resources," how--

(1) The proposed key personnel, consultants, and contractors have the qualifications, experience, and commitment to carry out the proposed activities and achieve the project's intended outcomes;

(2) The proposed project will encourage applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability, as appropriate;

(3) The applicant and key partners have adequate resources to carry out proposed project activities. To address this requirement, the applicant must describe--

(i) The willingness of the potential television program providers or program owners, as appropriate, to

permit and facilitate the audio description or the audio description and captioning of their programs;

(ii) Requirements and assurances that the programming that is made accessible under this project will continue to contain those audio descriptions and captions after the programming is aired; and

(iii) How programming audio described or captioned under this project would not otherwise be audio described or captioned to meet the FCC's requirements, or how this programming is specifically exempt from the FCC's requirements; and

(4) The proposed costs are reasonable in relation to the anticipated results and benefits. To address this requirement, the applicant must describe--

(i) The total number of program hours proposed to be made accessible through audio description, or audio description and captioning, under this project;

(ii) The cost per hour for audio description and, if the applicant is proposing both audio description and captioning, the cost per hour for audio description and for captioning; and

(iii) A plan, if any, to increase the anticipated shelf-life and distribution of educational programming described, or captioned and described, under this project.

(d) Demonstrate, in the narrative section of the application under "Quality of the management plan," how--

(1) The proposed management plan will ensure that the project's intended outcomes will be achieved on time and within budget. To address this requirement, the applicant must describe--

(i) Clearly defined responsibilities for key project personnel, consultants, and subcontractors, as applicable; and

(ii) Timelines and milestones for accomplishing the project tasks;

(2) Key personnel, consultants, and contractors will be sufficiently allocated to the project and how these allocations are appropriate and adequate to achieve the project's intended outcomes;

(3) The proposed management plan will ensure that the products and services provided are of high quality, relevant, and useful to recipients; and

(4) The proposed project will benefit from a diversity of perspectives, including, but not limited to, students and families, early intervention service providers, educators, researchers, and other OSEP funded projects.

(e) In the narrative section of the application under "Quality of the project evaluation," include an evaluation plan, as described in the following paragraphs. The evaluation plan must describe measures of progress in implementation, including the extent to which the project's

products and services have reached its target population and measures of intended outcomes or results of the project's activities to assess the effectiveness of those activities.

In designing the evaluation plan, the applicant must--

(1) Provide a logic model<sup>5</sup> or conceptual framework that depicts, at a minimum, the goals, activities, project evaluation, methods, performance measures, outputs, and outcomes of the proposed project;

(2) Provide a plan to implement the activities described in this priority; and

(3) Provide a plan, linked to the proposed project's logic model or conceptual framework, for a formative evaluation of the proposed project's activities. The plan must describe how the formative evaluation will use clear performance objectives to ensure continuous improvement in the operation of the proposed project, including objective measures of progress in implementing the project and ensuring the quality of products and resources.

Note: The following websites provide more information on logic models and conceptual frameworks:

[www.osepideasthatwork.org/logicModel](http://www.osepideasthatwork.org/logicModel) and

[www.osepideasthatwork.org/resources-grantees/program-](http://www.osepideasthatwork.org/resources-grantees/program-)

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<sup>5</sup> Logic model (also referred to as a theory of action) means a framework that identifies key project components of the proposed project (i.e., the active "ingredients" that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes. See 34 CFR 77.1.

areas/ta-ta/tad-project-logic-model-and-conceptual-framework.

(f) Address the following application requirements.

The applicant must include--

(1) In Appendix A, personnel-loading charts and timelines, as applicable, to illustrate the management plan described in the narrative; and

(2) In the budget, attendance at the following:

(i) A one and one-half day kick-off meeting in Washington, DC, or virtually, after receipt of the award, and an annual planning meeting in Washington, DC, or virtually, with the OSEP project officer and other relevant staff during each subsequent year of the project period.

Note: Within 30 days of receipt of the award, a post-award teleconference must be held between the OSEP project officer and the grantee's project director or other authorized representative.

(ii) A two and one-half day project directors' conference in Washington, DC, or a virtual conference, during each year of the project period.

(iii) Two annual two-day trips to attend Department briefings, Department-sponsored conferences, and other meetings, as requested by OSEP; and

(iv) A one-day intensive OSEP review meeting during the last half of the second year of the project period.

(3) Information on how the project will maintain a high-quality website, with an easy-to-navigate design, that meets government or industry-recognized standards for accessibility; and

(4) In Appendix A, an assurance to assist OSEP with the transfer of pertinent resources and products and to maintain the continuity of services to States during the transition to this new award period and at the end of this award period, as appropriate.

Fourth and Fifth Years of the Project:

In deciding whether to continue funding the project for the fourth and fifth years, the Secretary will consider the requirements of 34 CFR 75.253(a), including--

(a) The recommendations of an OSEP review team consisting of experts who have experience and knowledge in providing access to video programming through accessible high-quality audio description and captioning. This review will be conducted during a one-day intensive meeting that will be held during the last half of the second year of the project period;

(b) The timeliness with which, and how well, the requirements of the negotiated cooperative agreement have been or are being met by the project; and

(c) The quality, relevance, and usefulness of the project's products and services and the extent to which the project's products and services are aligned with the

project's objectives and likely to result in the project achieving its intended outcomes.

Under 34 CFR 75.253, the Secretary may reduce continuation awards or discontinue awards in any year of the project period for excessive carryover balances or a failure to make substantial progress. The Department intends to closely monitor unobligated balances and substantial progress under this program and may reduce or discontinue funding accordingly.

References:

- Feng, T. (2019). Incidental vocabulary learning for primary school students: The effects of L2 caption type and word exposure frequency. *Australian Educational Researcher*, 46(1), 113-136.
- Kent, M., Ellis, K., Peaty, G., Latter, N., & Locke, K. (2017). *Mainstreaming captions for online lectures in higher education in Australia*. Curtin University. [www.ncsehe.edu.au/wp-content/uploads/2017/04/MainstreamingCaptions\\_FinalReport.pdf](http://www.ncsehe.edu.au/wp-content/uploads/2017/04/MainstreamingCaptions_FinalReport.pdf).
- Rodriguez, J., & Diaz, M. V. (2017). Media with captions and description to support learning among children with sensory disabilities. *Universal Journal of Educational Research*, 5(11), 2016-2025.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (APA) (5 U.S.C. 553) the Department generally



offers interested parties the opportunity to comment on proposed priorities. Section 681(d) of IDEA, however, makes the public comment requirements of the APA inapplicable to the priority in this notice.

Program Authority: 20 U.S.C. 1474 and 1481.

Note: Projects will be awarded and must be operated in a manner consistent with the nondiscrimination requirements contained in Federal civil rights laws.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian Tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education (IHEs) only.

## II. Award Information

Type of Award: Cooperative agreements.

Estimated Number of Awards: 3.

Estimated Range of Awards: \$650,000 to \$666,000 per year.

Estimated Available Funds: \$2,000,000.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2022 from the list of unfunded applications from this competition.

Maximum Award: We will not make an award exceeding \$3,335,000 for the 60-month project period.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

### III. Eligibility Information

1. Eligible Applicants: State educational agencies (SEAs); local educational agencies (LEAs), including public charter schools that operate as LEAs under State law; IHEs; other public agencies; private nonprofit organizations; freely associated States and outlying areas; Indian Tribes or Tribal organizations; and for-profit organizations.

Note: If you are a nonprofit organization, under 34 CFR 75.51, you may demonstrate your nonprofit status by providing: (1) proof that the Internal Revenue Service currently recognizes the applicant as an organization to which contributions are tax deductible under section 501(c)(3) of the Internal Revenue Code; (2) a statement from a State taxing body or the State attorney general certifying that the organization is a nonprofit

organization operating within the State and that no part of its net earnings may lawfully benefit any private shareholder or individual; (3) a certified copy of the applicant's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or (4) any item described above if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

2. a. Cost Sharing or Matching: This program does not require cost sharing or matching.

b. Indirect Cost Rate Information: This program uses an unrestricted indirect cost rate. For more information regarding indirect costs, or to obtain a negotiated indirect cost rate, please see [www2.ed.gov/about/offices/list/ocfo/intro.html](http://www2.ed.gov/about/offices/list/ocfo/intro.html).

c. Administrative Cost Limitation: This program does not include any program-specific limitation on administrative expenses. All administrative expenses must be reasonable and necessary and conform to Cost Principles described in 2 CFR part 200 subpart E of the Uniform Guidance.

3. Subgrantees: A grantee under this competition may not award subgrants to entities to directly carry out project activities described in its application. Under 34

CFR 75.708(e), a grantee may contract for supplies, equipment, and other services in accordance with 2 CFR part 200.

4. Other General Requirements:

a. Recipients of funding under this competition must make positive efforts to employ and advance in employment qualified individuals with disabilities (see section 606 of IDEA).

b. Each applicant for, and recipient of, funding must, with respect to the aspects of their proposed project relating to the absolute priority, involve individuals with disabilities, or parents of individuals with disabilities ages birth through 26, in planning, implementing, and evaluating the project (see section 682(a)(1)(A) of IDEA).

IV. Application and Submission Information

1. Application Submission Instructions: Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the *Federal Register* on February 13, 2019 (84 FR 3768), and available at [www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf](http://www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf), which contain requirements and information on how to submit an application.

2. Intergovernmental Review: This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of

Federal Programs under Executive Order 12372 is in the application package for this competition.

3. Funding Restrictions: We reference regulations outlining funding restrictions in the Applicable Regulations section of this notice.

4. Recommended Page Limit: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 50 pages and (2) use the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double-space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, reference citations, and captions, as well as all text in charts, tables, figures, graphs, and screen shots.
- Use a font that is 12 point or larger.
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the abstract (follow the guidance provided in the application package for completing the abstract), the table of contents, the list of priority requirements, the resumes,

the reference list, the letters of support, or the appendices. However, the recommended page limit does apply to all of the application narrative, including all text in charts, tables, figures, graphs, and screen shots.

## V. Application Review Information

1. Selection Criteria: The selection criteria for this competition are from 34 CFR 75.210 and are as follows:

(a) Significance (15 points).

(1) The Secretary considers the significance of the proposed project.

(2) In determining the significance of the proposed project, the Secretary considers the following factors:

(i) The significance of the problem or issue to be addressed by the proposed project; and

(ii) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses.

(b) Quality of project services (30 points).

(1) The Secretary considers the quality of the services to be provided by the proposed project.

(2) In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project

participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(3) In addition, the Secretary considers the following factors:

(i) The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research and effective practice;

(ii) The extent to which the services to be provided by the proposed project involve the collaboration of appropriate partners for maximizing the effectiveness of project services;

(iii) The extent to which the services to be provided by the proposed project are appropriate to the needs of the intended recipients or beneficiaries of those services; and

(iv) The likely impact of the services to be provided by the proposed project on the intended recipients of those services.

(c) Adequacy of resources and quality of project personnel (20 points).

(1) The Secretary considers the adequacy of resources for the proposed project and the quality of the personnel who will carry out the proposed project.

(2) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are

members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(3) In addition, the Secretary considers the following factors:

(i) The qualifications, including relevant training and experience, of the project director or principal investigator;

(ii) The qualifications, including relevant training and experience, of key project personnel;

(iii) The qualifications, including relevant training and experience, of project consultants or subcontractors;

(iv) The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization; and

(v) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.

(d) Quality of the project evaluation (20 points).

(1) The Secretary considers the quality of the evaluation to be conducted of the proposed project.

(2) In determining the quality of the evaluation, the Secretary considers the following factors:



(i) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project;

(ii) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible;

(iii) The extent to which the methods of evaluation provide for examining the effectiveness of project implementation strategies;

(iv) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes; and

(v) The extent to which the evaluation plan clearly articulates the key project components, mediators, and outcomes, as well as a measurable threshold for acceptable implementation.

(e) Quality of the management plan (15 points).

(1) The Secretary considers the quality of the management plan for the proposed project.

(2) In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks;

(ii) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project;

(iii) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project;

(iv) How the applicant will ensure that a diversity of perspectives are brought to bear in the operation of the proposed project, including those of parents, teachers, the business community, a variety of disciplinary and professional fields, recipients or beneficiaries of services, or others, as appropriate; and

(v) The adequacy of procedures for ensuring feedback and continuous improvement in the operation of the proposed project.

2. Review and Selection Process: We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The

Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

### 3. Additional Review and Selection Process Factors:

In the past, the Department has had difficulty finding peer reviewers for certain competitions because so many individuals who are eligible to serve as peer reviewers have conflicts of interest. The standing panel requirements under section 682(b) of IDEA also have placed additional constraints on the availability of reviewers. Therefore, the Department has determined that for some discretionary grant competitions, applications may be separated into two or more groups and ranked and selected for funding within specific groups. This procedure will make it easier for the Department to find peer reviewers by ensuring that greater numbers of individuals who are eligible to serve as reviewers for any particular group of applicants will not have conflicts of interest. It also will increase the quality, independence, and fairness of the review process, while permitting panel members to

review applications under discretionary grant competitions for which they also have submitted applications.

4. Risk Assessment and Specific Conditions:

Consistent with 2 CFR 200.206, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 200.208, the Secretary may impose specific conditions, and under 2 CFR 3474.10, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

5. Integrity and Performance System: If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$250,000), under 2 CFR 200.206(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards--that is, the risk posed by you as an applicant--before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award

Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

6. In General: In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Department will review and consider applications for funding pursuant to this notice inviting applications in accordance with--

(a) Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR 200.205);

(b) Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. No. 115-232) (2 CFR 200.216);

(c) Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR 200.322); and

(d) Terminating agreements in whole or in part to the greatest extent authorized by law if an award no longer effectuates the program goals or agency priorities (2 CFR 200.340).

## VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements: We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Open Licensing Requirements: Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. Reporting: (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance

report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to [www.ed.gov/fund/grant/apply/appforms/appforms.html](http://www.ed.gov/fund/grant/apply/appforms/appforms.html).

(c) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

5. Performance Measures: For the purposes of the Government Performance and Results Act of 1993 (GPRA) and reporting under 34 CFR 75.110, the Department has established a set of performance measures, including long-term measures, that are designed to yield information on various aspects of the effectiveness and quality of the Educational Technology, Media, and Materials (ETechM2) for Individuals with Disabilities Program. These measures are:

- Program Performance Measure 1: The percentage of ETechM2 Program products and services judged to be of high quality by an independent review panel of experts qualified to review the substantial content of the products and services.
- Program Performance Measure 2: The percentage of ETechM2 Program products and services judged to be of high



relevance to improving outcomes for infants, toddlers, children, and youth with disabilities.

- Program Performance Measure 3: The percentage of ETechM2 Program products and services judged to be useful in improving results for infants, toddlers, children, and youth with disabilities.

- Program Performance Measure 4.1: The Federal cost per unit of accessible educational materials funded by the ETechM2 Program.

- Program Performance Measure 4.2: The Federal cost per unit of accessible educational materials from the National Instructional Materials Accessibility Center funded by the ETechM2 Program.

- Program Performance Measure 4.3: The Federal cost per unit of video description funded by the ETechM2 Program.

These measures apply to projects funded under this competition, and grantees are required to submit data on these measures as directed by OSEP.

Grantees will be required to report information on their project's performance in annual performance reports and additional performance data to the Department (34 CFR 75.590 and 75.591).

6. Continuation Awards: In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: whether a grantee has made substantial

progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

#### VII. Other Information

Accessible Format: On request to the program contact person listed under FOR FURTHER INFORMATION CONTACT, individuals with disabilities can obtain this document and a copy of the application package in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the *Federal Register*. You may access the official edition of the

*Federal Register* and the Code of Federal Regulations at [www.govinfo.gov](http://www.govinfo.gov). At this site you can view this document, as well as all other documents of this Department published in the *Federal Register*, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the *Federal Register* by using the article search feature at [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**David Cantrell,**

*Deputy Director,*

*Office of Special Education Programs,*

*Delegated the authority to perform the functions and duties of the Assistant Secretary for the Office of Special Education and Rehabilitative Services.*

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